

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

**JANE DOE,**

**Plaintiff,**

**v.**

**RECTOR AND VISITORS OF THE  
UNIVERSITY OF VIRGINIA,**

**Defendant.**

**Case No. 3:23-cv-00018-RSB**

**DEFENDANT'S PRETRIAL DISCLOSURES**

Defendant the Rector and Visitors of the University of Virginia, by counsel, hereby designate the following discovery they may introduce at trial, pursuant to Federal Rule of Civil Procedure Rule 26(a)(3) and this Court's Scheduling Order (ECF No. 30):

**WITNESSES**

Pursuant to F.R.C.P 26(a)(3)(A)(i), Defendant designates the following witnesses expected to be presented at trial:

Jane Doe

Laura D. Casteen AKA Laurie Casteen  
1723 Belvedere Pl.  
Charlottesville, VA 22901  
434-249-4109

Stuart Evans  
9 Tate Street  
Apt. 1  
Portland, ME 04102  
317-294-3352

LaTosha Barnes AKA Tosha Barnes  
7151 O'Kelly Chapel Road  
#261  
Cary, NC 27519  
919-442-8389

Emily Babb  
Northwestern University  
1800 Sherman Avenue  
Suite 4500  
Evanston, IL 60201  
847-491-3355

Akia Haynes Hale  
6043 Riddle Walk  
Alexandria, VA 22312  
317-835-3989

Jennifer E. Kidd AKA Jenna Kidd (formerly Jenna Pritchett)  
University of Virginia  
315 Old Ivy Way  
Suite 203  
Charlottesville, VA 22903  
434-924-8748

M. Elizabeth Magill  
In care of Prof. Leon Szpetycki  
University of Virginia School of Law  
580 Massie Road  
Charlottesville, VA 22903  
434-242-4977

Karen Painter  
University of Virginia  
550 Brandon Avenue  
Charlottesville, VA 22908  
434-243-5150

Barbara Zunder  
University of Virginia  
550 Brandon Avenue  
Charlottesville, VA 22908  
434-243-5182

Laura F. Hawthorne  
University of Virginia  
1001 N Emmet St.  
Charlottesville, VA 22904  
434-924-4122

Ian Baucom  
University of Virginia  
Booker House  
1709 University Ave.  
Charlottesville, VA 22903  
434-924-3728

Defendant reserves the right to call any witness listed in Plaintiff's list of witnesses and any witness needed for rebuttal or impeachment.

Pursuant to F.R.C.P 26(a)(3)(A)(i), Defendant designates the following witnesses that may be called if the need arises:

Charlotte Breen  
University of Virginia  
O'Neil Hall  
Suite C023  
445 Rugby Road  
Charlottesville, VA 22903  
434-297-7988

Emily Springston  
University of Virginia  
O'Neil Hall  
Suite C023  
445 Rugby Road  
Charlottesville, VA 22903  
434-297-7988

Sandy Bakoczy  
University of Virginia  
2420 Old Ivy Road  
Charlottesville, VA 22904-4127  
434-243-3344

Leslie Pierce  
University of Virginia  
2420 Old Ivy Road  
Charlottesville, VA 22904-4127  
434-243-3344

Palma Pustilnik  
Central Virginia Legal Aid Society  
103 East Water Street  
Suites 201 & 202  
Charlottesville, VA 22901  
434-296-8851

Asher Biemann  
University of Virginia  
1540 Jefferson Park Ave  
Nau Hall 183  
Charlottesville, VA 22904-4126  
434-924-3643

Christopher Tate  
Flora Pettit  
530 East Main Street  
P.O. Box 2057  
Charlottesville, VA 22902  
434-979-1400

Theresa Carroll  
University of Virginia  
225 Jeanette Lancaster Way  
Charlottesville, VA 22903  
434-924-0141

Custodian of Medical Records for Kaiser Permanente  
Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.  
Registered agent: Corporation Service Company  
100 Shockoe Slip Fl 2  
Richmond, VA 23219-4100

Allen Lynch  
University of Virginia  
Gibson Hall S397  
1540 Jefferson Park Ave  
Charlottesville, VA 22903  
434-924-3192

Dudley Doane  
University of Virginia  
102 Amphitheater Way  
Charlottesville, VA 22904  
434-982-3010

Michael J. Citro  
University of Pennsylvania  
1 College Hall  
Rm 100/6380  
Philadelphia, PA 19104  
215-898-7221

Alison Levine  
University of Virginia  
1605 Jefferson Park Ave  
Charlottesville, VA 22904  
434-924-4637

Parwiz Esmati  
8350 Greensboro Dr.  
Apt 307  
McLean, VA 22102-3508  
703-873-5508

Jane Doe's Father  
Plaintiff and her counsel are aware of the address and phone number of Plaintiff's Father.

Carla H. Lee  
University of Virginia  
Shannon Library  
160 McCormick Road  
Charlottesville, VA 22904  
434-924-3021

John Roe  
Defendant is not providing the contact information for John Roe as it is already known to Plaintiff's counsel and because it would reveal his identity, which in turn could reveal Plaintiff's identity.

Scottie Frey  
University of Virginia  
1222 Jefferson Park Ave.  
Charlottesville, VA 22901  
434-924-2196

Paul S. Haar  
Immigration Counsel PLLC  
1150 Connecticut Ave., N.W.  
Suite 325  
Washington, DC 20036  
(202) 862-4328

Judith Updike  
University of Virginia  
248 McCormick Rd.  
Charlottesville, VA 22904  
434-924-8867

Pursuant to F.R.C.P 26(a)(3)(A)(ii), Defendant designates the following witnesses whose testimony is expected to be presented by deposition and, if not taken stenographically, a transcript of the pertinent parts of the deposition.

1. Plaintiff Jane Doe (only those portions designated below)
2. Jane Doe's Father (only those portions designated below)
3. John Roe (only those portions designated below)
4. Parwiz Esmati (only those portions designated below)

### **EXHIBITS**

Pursuant to F.R.C.P 26(a)(3)(A)(iii), Defendant identifies the following exhibits expected to be offered at trial:

1. Notices of Investigation (Bates No. UVA000001-000023)
2. Draft Investigation Report and Exhibits (Bates No. UVA000024 - 001234)
3. Final Investigation Report and Exhibits (Bates No. UVA002446-004504)
4. Notices of Review Panel Hearing (Bates No. UVA004521-004536)
5. 2019-2020 UVA Academic Calendar (Bates No. UVA012099-012107)
6. UVA COVID-19 Communications (Bates No. UVA0012034-012098)
7. March 11-16, 2020 emails between Lauren Casteen and Plaintiff (Bates No. UVA004567-004571)
8. March 16, 2020 Laurie Casteen email to Plaintiff (Bates No. UVA004572-004573)
9. UVA's Resource and Reporting Guide for Students (Bates No. UVA000242-000251, 004624-4633)
10. March 2020 emails regarding Laurie Casteen contacting one of Plaintiff's professors (Bates No. UVA004580-004581, 006631-006632)
11. March 19, 2020 Laurie Casteen email to Plaintiff (Bates No. UVA004583-004584)
12. Plaintiff's Student Disability Access Center (SDAC) Accommodations (Bates No. UVA005996-006005)
13. March 28, 2020 Laurie Casteen email to Plaintiff (Bates No. UVA004590)
14. March 30, 2020 Emily Babb email to Plaintiff (Bates No. UVA004592)
15. March 31, 2020 Notice of Investigation to Plaintiff (Bates No. UVA000001-000005)
16. March 31, 2020 Notice of Investigation to John Roe (Bates No. UVA000006-000010)
17. UVA's Title IX Policy and Procedures for Reports Against Employees (Bates No. UVA000198-241)
18. March 15, 2020 Laurie Casteen Title IX Report (Bates No. UVA004419-004422)
19. March 31, 2020 Emily Babb email to Plaintiff with attachments (Bates No. UVA004597-4665)

20. March 31-April 1, 2020 emails Between Emily Babb and Plaintiff (Bates No. UVA004666-4694)
21. April 3, 2020 email from Investigators to Plaintiff (Bates No. UVA004695)
22. April 7, 2020 Investigators emails with Plaintiff (Bates No. UVA004715)
23. Plaintiff's UVA Academic Transcript (Bates No. UVA005162)
24. Plaintiff's Declarations of Majors (Bates No. UVA005308-005309)
25. May 21, 2020 Amended Notice of Investigation to Plaintiff and email transmitting it (Bates No. UVA000011-000012, 004845-004847)
26. May 29, 2020 Stuart Evans email to Plaintiff (Bates No. UVA005146)
27. July 31, 2020 Stuart Evans email to Plaintiff (Bates No. UVA005147)
28. August 26, 2020 Latosha Barnes emails to Plaintiff (Bates No. UVA004898-004899, 004902)
29. August 26-30, 2020 Laurie Casteen emails with Plaintiff (Bates No. UVA004915-004918)
30. August 2020 emails between Plaintiff and Laurie Casteen and Karen Painter (Bates No. UVA004897, 004905-004914)
31. August 31, 2020 Tosha Barnes emails to Plaintiff (Bates No. UVA004919)
32. September 7, 2020 Plaintiff's Response to Draft Investigation Report (Bates No. UVA004423-004425, 005148-005151)
33. October 2020 Tosha Barnes and Stuart Evans emails with Plaintiff and her attorney (Bates No. UVA004926, 004943-004987)
34. November 2, 2020 2nd Amended Notice of Investigation and Emily Babb email to Plaintiff attaching it (Bates No. UVA000016-000019, 004990)
35. November 5, 2020 Emily Babb email to Plaintiff (Bates No. UVA005044)
36. January 8, 2021 Stuart Evans email to Plaintiff (Bates No. UVA005155)
37. February 26, 2021 Stuart Evans email to Plaintiff (Bates No. UVA009271)
38. March 31, 2021 Stuart Evans email to Plaintiff (Bates No. UVA009305)
39. April 2021 emails between Stuart Evans and Tosha Barnes and Plaintiff (Bates No. UVA005160-005161, 009333-009334, 009341-009344)
40. Akia Haynes email exchange with John Roe regarding attending May 2021 graduation (Bates No. UVA009409)
41. Emails from May 2021 between Akia Haynes and Plaintiff's attorney regarding John Roe attending May 2021 graduation (Bates No. UVA005055-005070)
42. May and June 2021 emails between UVA Title IX Office staff and Plaintiff and her attorney regarding the Review Panel Hearing and Plaintiff's travel and lodging (Bates No. UVA005073-5078, 005082-005087, 005091, 005122-005124, 009474, 009535-009535, 009542, 009561, 009585, 009606, 009621, 009655-009659, 009685-009690, 009724-009726, 009747, 009755, 009763, 009784-009788, 009841-009845, 009860)
43. July 7, 2021 Review Panel Determination and Recommendation and email transmitting it to Plaintiff (Bates No. UVA004538-004543, 009857-009858, 009889-009895, 009905-009906)
44. John Roe's resignation letter (Bates No. UVA009977)
45. August 5, 2021 Executive Review by Elizabeth Magill (Bates No. UVA004544-004545)
46. August 6, 2021 Akia Haynes Letter to Plaintiff (Bates No. UVA004546)
47. August 10, 2021 Jenna Pritchett email to Plaintiff regarding reimbursement (Bates No. UVA005131-5136)

48. June 2020 emails between Plaintiff and Investigators Stuart Evans and Tosha Barnes (Bates No. UVA007727)
49. February 2021 emails between Plaintiff and Asher Biemann regarding recommendation letter (Bates No. UVA009203-009261)
50. February 2021 emails between Plaintiff and Allen Lynch regarding recommendation letter (Bates No. UVA011884-011894)
51. May 2020 emails between Plaintiff and Asher Biemann (Bates No. UVA007451-007463, 007466-007510, 007528-007594)
52. July 2021 emails between Plaintiff and Asher Biemann (Bates No. UVA009814, 009824, 010037, 010050, 010073-010077, 010088-010090)
53. Safe Grounds entries (Bates No. UVA005315-005317, 005368-005384, 005388-005390, 005393, 05405-005407)
54. April 2020 through October 2020 emails between Investigators Tosha Barnes and Stuart Evans and Plaintiff and her attorney regarding scheduling interviews (Bates No. UVA004704, 004706, 004712, 004718-004720, 004742, 004744-004745, 004757-004758, 004759-004761, 004770-004771, 004778, 004780-004782, 004793, 004804-004805, 004814, 005146, 007389, 007412-007413)
55. April 16, 2020 Emily Babb email to Plaintiff (Bates No. UVA004746-004747)
56. May 28, 2020 Casteen email to Plaintiff (Bates No. UVA004848)
57. June 23, 2020 Emily Babb email to Plaintiff (Bates No. UVA004874-004875)
58. August 25, 2020 Tosha Barnes email to Plaintiff (Bates No. UVA004894)
59. June and July 2020 emails between Tosha Barnes and Plaintiff regarding evidence (Bates No. 004877-004882)
60. August 2021 emails between Plaintiff and Palma Pustilnik (PLAINTIFF\_001728-001729)
61. March 2020 through November 2020 emails between Emily Babb and Plaintiff
62. March 2020 through September 2020 emails between Laurie Casteen and Plaintiff
63. April 2020 through April 2021 emails between Stuart Evans and Tosha Barnes and Plaintiff and her attorney regarding the investigation
64. Plaintiff's High School Transcript (Bates No. UVA005288-00)
65. July 1, 2021 Sanctioning Memorandum (Bates No. UVA004537)
66. UVA Human Resources documentation of John Roe Spring 2020 academic leave and termination (Bates No. UVA012574-012577)
67. Text messages between Laurie Casteen and Plaintiff (UVA011900-011906)
68. The following excerpts from Plaintiff's deposition transcript:

38:11-21  
 46:12-47:6  
 51:14-52:5  
 53:19-22  
 54:16-55:1  
 58:15-60:15  
 61:1-62:18  
 66:9-14  
 91:16-93:21  
 103:15-104:18



119:4-8  
127:6-128:12  
128:13-22  
133:1-134:7  
148:7-18  
163:13-18  
181:1-11  
181:20-182:1  
188:4-189:4  
196:18-22  
198:6-11  
205:4-13  
208:17-20  
209:2-19  
209:20-211:4

69. The following excerpts from John Roe's deposition transcript:

19:15-17  
21:18-20  
50:2-15  
64:19-65:3  
65:4-66:4  
69:2-70:12

70. The following excerpts from Plaintiff's Father's deposition transcript:

56:19-57:7  
77:17-78:20  
79:5-10  
86:7-87:11  
88:17-89:11  
90:17-92:2  
92:20-93:20  
119:9-120:15

Pursuant to F.R.C.P 26(a)(3)(A)(iii), Defendant identifies the following exhibits they may offer at trial if the need arises:

1. Fairness portions of depositions pertinent to any deposition testimony offered by Plaintiff.
2. Any admissible Exhibits proposed by Plaintiff.
3. Deposition transcripts to extent required for impeachment purposes.
4. Plaintiff's charge of discrimination against former employer (UVA012567-012569)
5. The following excerpts from Parwiz Esmati's deposition transcript:

10:20-11:19

12:8-19

14:9-16:4.

20:22-21:13

22:19-22

23:11-13

23:18-25:11

47:6-48:12

6. Plaintiff's resume provided to Andrew Verzilli (ECF No. 67-37)
7. Recordings and or excerpts of recordings of interviews between Plaintiff and Stuart Evans and Tosha Barnes (Bates No. (UVA005977-005984)
8. Plaintiff's W-2s or other proof of income since graduating from the University of Virginia, including the 2023 W-2 from the law firm and the May 2022 Consultant Agreement

Respectfully submitted,

**THE RECTOR AND VISITORS OF THE  
UNIVERSITY OF VIRGINIA**

By Counsel: /s/ Christopher P. Bernhardt

Christopher P. Bernhardt\* (VSB No. 80133)

Assistant Attorney General

Office of the Virginia Attorney General

202 North 9th Street

Richmond, Virginia 23219

Telephone: (804) 371-0977

Facsimile: (804) 371-2087

Email: cbernhardt@oag.state.va.us

*\*Counsel of Record for Defendant*

Amy E. Hensley\* (VSB No. 80470)

Associate University Counsel/Assistant Attorney  
General

1827 University Avenue

Charlottesville, Virginia 22904

Telephone: (434) 924-3685

Email: aehensley@virginia.edu

*\*Counsel of Record for Defendant*

Jason S. Miyares  
Attorney General of Virginia

Thomas J. Sanford  
Deputy Attorney General

Jacqueline C. Hedblom  
Senior Assistant Attorney General/ Trial Section Chief

**CERTIFICATE**

I hereby certify that on November 8, 2024, I electronically filed the foregoing with the  
Clerk of the Court using the CM/ECF system.

/s/ Christopher P. Bernhardt

Christopher P. Bernhardt\* (VSB No. 80133)

Assistant Attorney General